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February 7, 2024

By ECF

The Honorable Edgardo Ramos
United States District Judge
Southern District of New York
Thurgood Marshall U.S. Courthouse
40 Foley Square
New York, NY 10007

MEMO ENDORSED

Re: *United States v. Brandon Wong, 22 Cr. 395 (ER)*

Dear Judge Ramos:

We represent Brandon Wong in the above-referenced matter. On January 26, 2024, Your Honor sentenced Mr. Wong to a term of five months' incarceration, with a surrender date of April 5, 2024. At Mr. Wong's sentencing, we did not request a recommendation from the Court regarding designation to a particular Federal Bureau of Prisons (BOP) facility. Pursuant to 18 U.S.C. § 3621(b), although the BOP retains final authority to designate the place of imprisonment, the BOP may consider, among other factors, a recommendation of the sentencing court.

We write now to respectfully request that Your Honor recommend that Mr. Wong serve his term of incarceration at the minimum security satellite camp at FCI Otisville or another minimum security satellite camp close to New York City. If space at a minimum security facility within the Northeast is unavailable, we would request that Your Honor recommend that Mr. Wong not be designated to the Metropolitan Detention Center (MDC) in Brooklyn. *See United States v. Chavez*, No. 22-CR-303 (JMF), 2024 WL 50233, at *1-*2, *5-*7 (S.D.N.Y. Jan. 4, 2024) (describing the "severe staffing shortage," "inordinate" lockdowns, "egregiously slow" medical treatment, and "problematic" physical conditions currently found at the MDC, and collecting cases noting the same); *see also* Mediation Status Report, *Fed. Defs. of N.Y., Inc. v. Fed. Bureau of Prisons*, No. 19-CV-660 (MKB) (E.D.N.Y. Jan. 11, 2024), ECF No. 407 (acknowledging an "ongoing staffing shortage" at the MDC, even despite "additional permanent staff hires" in January 2024). In light of the present reported conditions of the MDC, designation to that facility would not serve the purposes set forth in 18 U.S.C. § 3621(b). *See id.* (directing that, in assigning a place of imprisonment, the BOP consider, *inter alia*, "the resources of the facility," "the nature and circumstances of the offense," and "the history and characteristics of the prisoner").

Rather, in that event, we respectfully request that Your Honor recommend that Mr. Wong serve his term of incarceration at a residential reentry facility in the New York metropolitan area. Designation to such a facility would have the additional benefit of allowing Mr. Wong to

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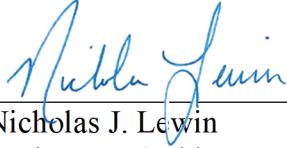
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maintain his current employment at a printing and shipping store in Manhattan, where he has worked since October 2022.

We appreciate the Court's time and consideration.

Respectfully submitted,
KRIEGER KIM & LEWIN LLP

By:


Nicholas J. Lewin
Andrew N. Stahl

cc: All Counsel of Record (By ECF)

The application is granted. The Court recommends to the BOP that Mr. Wong be designate to the minimum security satellite camp at FCI Otisville or another minimum security satellite camp close to New York City.

SO ORDERED.


Edgardo Ramos, U.S.D.J.

Dated: 2/8/2024

New York, New York